

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT) ACTION AGAINST)) City of Seattle,) Seattle Department of Parks & Recreation)) Respondent.) _____) IT IS ALLEGED as follows:)	PDC CASE NO: 00-875 & 00-876 Notice of Administrative Charges
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I.
JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Commission, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II.
LAW

RCW 42.17.190(2) states: “Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds may be used directly or indirectly for lobbying: PROVIDED, This does not prevent officers or employees of an agency from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection does not apply to the legislative branch.”

RCW 42.17.190(3) states: “Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency; PROVIDED, That public funds may not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, the term “gift” means a voluntary transfer of any thing of value without consideration of equal or greater value, but does not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business. This section does not permit the printing of a state publication which has been otherwise prohibited by law.”

III. **BACKGROUND**

The City of Seattle has long made available to its residents an extensive park system. Seattle’s parks demonstrate the city’s commitment to parks, open space, and recreational opportunities for its residents. Seattle’s parks are operated and managed by the Seattle Department of Parks and Recreation (Parks Department). The Parks Department is part of city government and is led by Superintendent Kenneth Bounds who is a member of the Mayor’s cabinet and who is advised by the city’s Board of Parks Commissioners.

On March 10, 1998, Melissa Warheit, former Executive Director of the PDC, spoke to the Seattle City Council’s Government Committee. Ms. Warheit was asked to address the city’s concern that the PDC interpreted RCW 42.17.190 to mean that an agency may not use public funds to ask constituents to assist the city’s legislative lobbying effort. In attendance at the meeting were Sue Donaldson, President of the City Council and Chair of the Council’s Government Committee, Jan Drago, Vice Chair, Sandy Cohen, Legal Advisor to the Council, and Carol Van Noy,

Executive Director of the Seattle Ethics and Elections Commission. When Ms. Warheit was introduced, Committee Chair Donaldson stated that she had concerns about the PDC's interpretation of the statute and said she wanted to hear what Ms. Warheit had to say before the council decided whether to lobby for a change to RCW 42.17 or challenge the PDC's interpretation in court. Ms. Warheit explained in detail that public funds could only be used to directly lobby the legislature. Ms. Warheit stated that RCW 42.17.190 forbids indirect lobbying. She told those present at the meeting that what the city wanted to do was in direct conflict with the statute.

State law includes a Metropolitan Park District (MPD) law that allows certain cities to create a Metropolitan Park District to operate and manage its parks. During the 1999 legislative session, the City of Seattle supported legislative amendments to the MPD law. On March 15, 1999, Superintendent Bounds sent a letter to various supporters addressed to "Dear Friends of the Parks." Superintendent Bounds informed readers of the pending legislation, indicating that the proposed changes under consideration by the State Legislature would streamline the operation of a MPD in Seattle by allowing the Mayor and City Council to serve as the MPD board. The letter went on to state that if the legislation was approved and signed into law the city would begin an extensive public process to develop a proposal for the City Council to consider.

On April 8, 1999, Seattle Mayor Paul Schell, Seattle City Council President Sue Donaldson, and City Council member Nick Licata sent a letter to legislators thanking them for their support of the MPD legislation and urging legislators to support passage of the amendments to the MPD law. Efforts to modify the MPD law during the 1999 session were not successful.

On May 3, 1999, Mayor Schell wrote to all City Council members about his Proposed Strategic Capital Agenda. His agenda included "neighborhood and community parks and open space." He told council members that he had asked the Parks Department and the Department of Neighborhoods to begin a process to engage citizens throughout Seattle to develop a better

understanding of the value and uses of levy funds that would support parks and open space projects. Mayor Schell went on to state that he believed the resulting community support would enable the city to get a revised MPD bill through the Legislature in 2000. He then pledged to propose submitting a neighborhood parks and open space levy to voters in the fall of 2000.

IV. FACTS

Creation of PRO Parks 2000 Committee – In June, 1999, at the request of Mayor Paul Schell, Superintendent Bounds, and the Chair of the Board of Parks Commissioners, a citizens planning committee was created. It was called the PRO Parks 2000 Citizens Planning Committee (PRO Parks 2000 Committee). The selection of individuals to serve on the PRO Parks 2000 Committee was made with input from the Parks Department staff, Superintendent Bounds, the Department of Neighborhoods, the City Council, and the Mayor's office. There was an attempt to include individuals on the committee from various city locations and with the perspectives of a variety of interest groups. Once chosen, the committee was comprised of 28 individuals with a variety of interests and backgrounds related to park, recreation and open space needs. While the individuals selected did not officially represent interest groups, they brought with them the perspectives and interests of the parks and open space groups to which they belonged, as well as their individual interests and perspectives.

The Pro Parks 2000 Committee first met as a group on June 23, 1999 in the boardroom of the Parks Department. In addition to committee members, also in attendance were Parks Department Superintendent Ken Bounds, Margaret Ceis, Chair of the Board of Parks Commissioners, Deputy Mayor Tom Byers, City Council member Nick Lacata, Susan Dehlendorf from the Department of Neighborhoods, and Beth Purcell from the Parks Department.

In August, 1999, the Seattle City Council adopted Resolution 30003 endorsing the PRO Parks 2000 Committee. The resolution endorsed the creation of the PRO Parks 2000 Committee to consider the parks, open space, and recreation recommendations identified in related plans and programs. The resolution provided that the City of Seattle had directed the PRO Parks 2000 Committee to evaluate and recommend funding tools for parks, recreation, and open space projects, to develop a proposed package of parks, recreation, and open space projects and programs, and to identify strategic options to fund improvements, acquisitions, operations, and maintenance to present to the Mayor and City Council.

Activities of PRO Parks 2000 Committee – The PRO Parks 2000 Committee met on many occasions between June 23, 1999 and April 25, 2000. Prior to the 2000 legislative session, the PRO Parks 2000 Committee did in-fact carry out its mandate by considering and evaluating projects, programs, and funding tools for park, recreation and open space needs. Once the City of Seattle’s proposed legislative package was prepared for the 2000 session, however, the City of Seattle expended city resources to mobilize and coordinate the lobbying activities of PRO Parks 2000 Committee members and outside groups. The city requested that these groups lobby the legislature in a manner that was prohibited by RCW 42.17.190. The legislation supported by the City of Seattle was Senate Bill 6566, also known as the Local Parks Authority (LPA) bill. Senate Bill 6566 offered an alternative to the existing Metropolitan Park District statute by offering first class cities over 500,000 in population the option of forming a Local Park Authority through a vote of its residents. The LPA would provide a dedicated funding source for parks and recreational facilities, including the maintenance, operations, and capital funding of its projects. In addition, it would allow for the non-profit management of the Woodland Park Zoo and the Seattle Aquarium. Following are examples of 1) the City of Seattle interacting with the PRO Parks 2000 Committee and individuals interested in the work of the committee concerning the group’s stated purpose; 2) the City of Seattle using city resources to engage members of the PRO

Parks 2000 Committee to lobby in support of Senate Bill 6566; 3) the City of Seattle using city resources to engage outside groups to lobby in support of Senate Bill 6566.

On July 8, 1999, Superintendent Bounds sent a letter to PRO Parks 2000 Committee members telling them that in response to feedback from the group's first meeting, the Parks Department was broadening the outreach of the committee's work to the larger Seattle community. On July 9th Superintendent Bounds sent a letter addressed to "*Park and Recreation Advocate*" thanking them for their interest in the PRO Parks 2000 Committee work and asking them to contact the Parks Department if they wanted to receive summaries of any of the Committee's presentations.

On October 13, 1999, Superintendent Bounds invited four legislators to attend a PRO Parks 2000 Committee meeting on October 20, 1999. The four legislators attended and were asked to complete a questionnaire about specific legislative strategies for passing parks legislation. The legislators were asked how the following activities would help or hurt the city's chances of getting parks legislation passed in the 2000 legislative session: (1) Full support from the Zoo Society; (2) Full support from the Seattle Aquarium Society; (3) Support from Seattle neighborhood activists; (4) Support from Seattle elected officials; (5) Significant bipartisan support; and (6) Opposition from any of the above. The four legislators included Senator Jim Horn, Representative Maryann Mitchell, Representative Frank Chopp, and Senator Jeanne Kohl-Welles. The legislators were introduced by City of Seattle lobbyist Susan Crowley, made introductory remarks, and then engaged in discussions with the PRO Parks 2000 Committee members on a number of issues related to the committee's interests.

On October 22, 1999, Deputy Parks Superintendent Patricia McInturff sent a letter to PRO Parks Committee members with four pages of attachments including a list of the "attributes of a legislative strategy" and information about the attributes of various funding options. The letter indicated that it was sent with attachments to the "City and Citizen Distribution List," but city

staff interviewed during the investigation could not recall who was on the distribution list or how widely beyond the PRO Parks 2000 Committee the letter was distributed.

On October 25, 1999, Superintendent Bounds and Deputy Superintendent McInturff sent a memo to PRO Parks 2000 Committee members in preparation for the group's October 26th meeting. The memo gave advice on selecting the legislative option that would be most effective during the 2000 session. The memo stated in part, "*The legislative session is starting soon and will be over quickly. If we wish to have any chance for success, we've got to present a unified front as soon as possible.*" As a result of the recommendations of the PRO Parks 2000 Committee, the Seattle City Attorney drafted the legislation that was ultimately introduced as Senate Bill 6566, and that was lobbied by the City of Seattle, PRO Parks 2000 Committee members, and other park advocates in the community.

December 1, 1999 – January 8, 2000 – During the five weeks before the start of the legislative session, the PRO Parks 2000 Committee sent a letter addressed to "*Dear State Legislator*" urging support for the LPA legislation. The letter was drafted by the Parks Department and signed by all 28 PRO Parks 2000 Committee members. Superintendent Bounds and Deputy Superintendent McInturff sent a letter to "*park and recreation advocates*" asking for their support of the LPA legislation. Superintendent Bounds also sent a letter to Community Council members soliciting their support for the LPA legislation during the upcoming session. Interviews with city staff could not determine who was on the distribution list or how widely the letter was distributed.

On December 17, 1999, Beth Purcell, a city employee, sent an e-mail to PRO Parks 2000 Committee members informing them that the City of Seattle would be working on legislative and community based strategies to accompany the bill to Olympia and soliciting their help in lobbying the LPA legislation. On December 22nd, a PRO Parks Community Strategy Subcommittee meeting, facilitated by Janet Pelz on behalf of the Parks Department, was held to

discuss lobbying strategy. Eleven people attended the meeting including the lobbyist for the City of Seattle, the Deputy Superintendent for the Parks Department, two Parks Department employees, the public affairs consultant for the Woodland Park Zoo, the consultant for the PRO Parks 2000 Committee, two former Parks Department employees, and three PRO Parks Committee members. The LPA legislation was discussed along with the legislative strategy and timeline. Three PRO Parks 2000 Committee members served as co-chairs of the Community Strategy Subcommittee. Action items for the subcommittee included getting a letter to legislators from PRO Parks Committee members by January 4, 2000, providing a map with legislators' names and telephone numbers to enable PRO Parks Committee members to call individual legislators, and organizing a lobby day in Olympia.

On December 28, 1999, Superintendent Bounds and Deputy Superintendent McInturff sent a letter to "*park and recreation advocates*" using city resources. The letter was a direct solicitation for lobbying support in Olympia during the 2000 session for the city's LPA legislation. Attached to the letter was a copy of the proposed legislation. The letter explained that the LPA legislation had been crafted by the PRO Parks 2000 Committee and outlined its improvements over the MPD legislation that failed in 1999. The letter said, in part, "*We are excited to announce that the legislation, crafted by the PRO Parks 2000 Committee, has been completed and forwarded to the State legislature. . . . The PRO Parks Committee continues to work hard into the new year and will be looking for your support when legislation is presented in Olympia.*" Superintendent Bounds did not know who all received the letter.

On January 4, 2000, a letter drafted using City of Seattle resources by the Parks Department and Janet Pelz, a Public Affairs Consultant hired by the city to facilitate the PRO Parks 2000 Committee, was sent to state legislators. It was addressed "*Dear State Legislator:*" and was signed by all 28 members of the PRO Parks 2000 Committee. The letter urged the full support of

the legislators for the city's LPA legislation. The letter constituted an indirect lobbying effort by the City of Seattle, through the PRO Parks 2000 Committee.

On January 5, 2000, Superintendent Bounds sent a letter to Community Council members telling them that the legislation created by the PRO Parks 2000 Committee had been completed and forwarded to the State Legislature. The letter summarized the legislation and reminded Council Members that 2000 was a short legislative session. He emphasized that the 2000 legislation required local voter approval of limits of MPD powers beyond what was currently in statute. His letter said in part, "*We hope to gain your support in promoting the bill during this legislative session.*"

On January 8, 2000, Lucy Steers, a PRO Parks 2000 Committee member, expressed concern to Dan Stecher, also a PRO Parks 2000 Committee member, about the activities of the local ballot measure subcommittee. She stated in part, "*I am getting increasingly uncomfortable with our discussions of lobbying strategies taking place in a public place, and to some degree under the direction of public employees . . .*" Even though Ms. Steers, a private employee, made her concerns known, and City of Seattle officials were aware of her concerns, the city did nothing to stop the use of public resources to assist the lobbying efforts of the PRO Parks 2000 Committee members.

January 10 – February 10, 2000 – During this time frame, several e-mail messages were sent between City of Seattle employees, PRO Parks 2000 Committee members, the city's lobbyists, private sector lobbyists and consultants, and other individuals and organizations. Some of those e-mails included a "Call to Action" and "Legislative Alerts" in support of Senate Bill 6566.

On January 14, 2000, Superintendent Bounds and Seattle Park Board Chair Margaret Ceis sent a letter to Community Council members, Neighborhood Stewards, and Park Advocates requesting their support of the LPA legislation in the 2000 legislative session. The letter said in part, "*The*

legislation, crafted by the PRO Parks Committee, has been completed and forwarded to the State Legislature. . . . We hope to gain your support in promoting the bill during this legislative session.” Those interviewed during the investigation were unable to recall how many letters were sent or which groups referenced in the salutation received a letter.

Also on January 14, 2000, Deputy Superintendent McInturff sent a “*Legislative Alert*” via e-mail to City of Seattle employee Beth Purcell. Susan Crowley was the City of Seattle’s lobbyist. The Legislative Alert stated, “*Pro Parks Members, I just spoke with Susan Crowley. She asked that each of you PLEASE contact your own Seattle legislator by e-mail, phone, or if you are really ambitious, in person to let them know that you support the LPA. She said it is REALLY important that Seattle legislators hear from you ASAP. Please let me know what you hear and also please let me know if any of you plan to drive to Olympia. Thanks, Patricia.*”

On January 21, 2000, Susan Crowley contacted PRO Parks 2000 Committee member Dan Stecher by e-mail. She asked that he make sure PRO Parks 2000 Committee members contact their legislative delegation to ask for support of the city’s LPA legislation. Her e-mail said in part, “. . . . Also, (my broken record speech) please make sure each member of the Committee has contacted all three of their legislators directly via phone and/or email.”

On January 21, 2000, Barbara Pelfrey, an assistant to Deputy Superintendent McInturff, sent an e-mail message to City of Seattle employee Beth Purcell regarding an urgent request for action. Ms. Pelfrey’s e-mail message stated in part, “*Patricia just called and asked me to have you call all of the Pro Parks people, Park Board people, and any others of interest, asking for their grassroots support requesting them to call and or email their Seattle Legislators today and ask for their support.*”

On January 24, 2000, Superintendent Bounds sent a letter addressed to “Friends of Parks and Recreation.” The letter included a summary of the LPA legislation, commonly asked questions

and answers about the legislation, and a letter to State Legislators from the PRO Parks 2000 Committee. Superintendent Bounds' letter stated in part, *"I am writing to encourage your support of the recommendation by the PRO Parks 2000 Committee . . ."*

Also, on January 24, 2000 City of Seattle lobbyist Susan Crowley sent an e-mail message to Senator Kohl-Welles. Her e-mail said in part, *"grassroots efforts are continuing with the help of Pro Parks, the Zoo Society, and the Parks Dept."* This statement illustrates the type of lobbying effort being coordinated by City of Seattle employees.

On January 25, 2000, city employee Beth Purcell sent an e-mail "Call to Action" to PRO Parks Committee members. Her message said in part, *"After all of the hard work that you have done, we are now at a very critical milestone – getting through the Senate Committee. . . . Most importantly, legislators need to hear from you and they need to hear ASAP!!!! . . . they need to hear of your support for the Local Parks Authority (LPA). . . . There are some legislators in particular that appear to be concerned about the lack of positive supporters of the LPA and we would like you to please contact them now and let them know of your support."*

Ms. Purcell's e-mail was also sent to Herbye White, the Central Area Parks Director for the Parks Department. Mr. White forwarded Ms. Purcell's "Call to Action" e-mail to three employees of the City of Seattle, and said to them in part, *"We need to do everything we can to get the work out (without using city resources) to have supporters call/email our State Legislators regarding Pro Parks 2000 legislation. . . . let me know what steps you have/will take to enhance this major proposal?"*

On January 26, 2000, City of Seattle employee Alix Ogden sent an e-mail to several private citizens with a copy to City of Seattle employee Beth Purcell about funding for park and open space/recreation projects. The e-mail encouraged recipients to contact their legislator in support of the LPA legislation. The e-mail said, *"If you feel strongly about this issue and financing of*

park, open space and recreation projects, your legislators need to hear from you ASAP. There are some legislators that need to hear from you. They include..." (list of six Seattle legislators).

The e-mail went on to state, *"In addition to contacting your own legislators listed above, you may send letters or email to the Senate Committee by addressing them to: Committee Chair Senator Julia Patterson..."*

On January 27, 2000, four members of the PRO Parks 2000 Committee (Dan Stecher, Karen Daubert, Tim Baker and Kathleen Warren) and one former Parks Department employee (Catherine Anstett) traveled to Olympia to lobby in support of the LPA legislation. This "lobby day" was coordinated by Parks Department employees, its consultant, and the city's lobbyist. City of Seattle lobbyist Susan Crowley asked those attending the "lobby day" in Olympia to lobby the legislators after the hearing. Late in the day on January 27th, Ms. Crowley sent an e-mail to Beth Purcell thanking all those who made the trip to Olympia. She said in part, *"I think it would be useful if you sent thank you emails/calls to the members of the committee for hearing the bill (perhaps mentioning a few salient points) and ask them to vote for the bill to pass out of committee."*

On January 29, 2000 Superintendent Bounds sent an e-mail to Lucy Steers, a member of the PRO Parks Committee, thanking her for contacting Senate Committee members. His e-mail said in part, *"Lucy, great e-mail. We are having trouble with Senators Haugen and Gardner...If you haven't already, would you please send your message to them individually, as well..."*

On January 29, 2000, Deputy Superintendent McInturff sent an e-mail to PRO Parks 2000 Committee members, saying in part, *"On Thursday we were confident that we had the 4 votes that we needed to get the LPA out of the Senate Local Government Committee. On Friday we learned that one of our Yes votes . . . may change her mind. . . . Our purpose in writing is to keep you updated and ask for your help. If any of you have influence or know of anyone who has*

influence with Senators Hougen or Gardner please contact them ASAP. . . . Your lobbying efforts have been invaluable...”

On January 31, 2000, Deputy Superintendent McInturff received an e-mail from Melinda Williams, Public Affairs Consultant for the Woodland Park Zoo Society, The e-mail said in part, *“Does Kline have any pull with Gardner? Martin tells me that Gardner received a flurry of email over the weekend, so our efforts to get folks to contact her worked. Let me know if they have any effect.”* This e-mail demonstrates that McInturff’s January 29th e-mail generated lobbying activity.

On February 10, 2000, Jennifer Cargal, a Parks Department employee sent an e-mail to Superintendent Bounds, City lobbyist Susan Crowley, and Paula Hoff, a Parks Department employee. The e-mail included a letter drafted by Parks Department employees for the signature of Joseph Olchefske, Superintendent of the Seattle School District supporting the City of Seattle’s LPA legislation. The letter was addressed to Senator Syd Snyder and said in part, *“I am writing to convey my support for Senate Bill 6566, and request your support for this important bill.... I ask your support for this bill and your assistance in moving out of committee. Your efforts support not only the Parks and Recreation system in Seattle but the School District as well.... Sincerely, Joseph Olchefske, Superintendent.”*

V.

CONCLUSION

RCW 42.17.190 allows the City of Seattle to provide information or communicate on matters pertaining to official agency business to any elected official or officer or employee of any agency. The city is also allowed to advocate the official position or interests of the agency to any elected official or officer or employee of any agency. The City of Seattle is not allowed to expend its

resources to engage in the above-mentioned activities indirectly through its constituents, private citizens not employed by or under contract with the city, or outside groups.

Section IV provides multiple examples of City of Seattle employees using city resources to advocate the position and interests of the city by engaging in and coordinating a comprehensive indirect lobbying effort through its constituents, private citizens, and outside groups prior to and during the 2000 legislative session. The city's actions clearly demonstrate that multiple violations of RCW 42.17.190 were committed by employees of the City of Seattle. These illegal activities were undertaken in spite of, and without regard to, advice to the contrary by the Executive Director of the Public Disclosure Commission. The PDC's Executive Director made it clear to City of Seattle officials in 1998 that the city was not allowed to use its resources to enlist the support of its constituents, private citizens, and outside groups to lobby elected officials, officers and employees of agencies on its behalf.

The respondent violated RCW 42.17.190 by using City of Seattle resources to mobilize the PRO Parks 2000 Committee to lobby on behalf of the city for passage of the LPA legislation during the 2000 legislative session. The PRO Parks 2000 Committee was created to develop a proposed package of parks, recreation, and open space projects and programs, to evaluate and recommend funding options for those projects and programs, and to present their findings to the Mayor and City Council. In addition to using the PRO Parks 2000 Committee for these legitimate purposes, City of Seattle employees expended city resources to engage in prohibited indirect lobbying by requesting and coordinating lobbying efforts by members of the PRO Parks 2000 Committee in support of the LPA legislation during the 2000 legislative session. The respondent also violated RCW 42.17.190 by using City of Seattle resources to mobilize outside groups to lobby on behalf of the city for passage of the LPA legislation during the 2000 legislative session.

Following are examples from Section IV of City of Seattle employees using city resources to engage in the above-referenced prohibited lobbying activities:

- 1.) Superintendent Bounds set up a meeting on October 20, 1999 with four legislators and the PRO Parks 2000 Committee to discuss legislative strategy for passing parks legislation;
- 2.) Deputy Superintendent McInturff sent a letter to PRO Parks 2000 Committee members and to the “City and Citizen Distribution List” on October 22, 1999 describing “attributes of a legislative strategy”;
- 3.) Superintendent Bounds and Deputy Superintendent McInturff sent a memo to PRO Parks 2000 Committee members on October 25, 1999 giving them advice on selecting the legislative option that would be most effective during the 2000 session;
- 4.) City resources were expended for a meeting facilitated by Janet Pelz on behalf of the Parks Department. The meeting was attended by three PRO Parks 2000 Committee members to discuss lobbying strategy for support of the LPA legislation. Legislative strategy discussed included a letter to legislators from PRO Parks 2000 Committee members, a map with legislators’ names and telephone numbers for use by PRO Parks 2000 Committee members, and organizing a “lobby day” in Olympia;
- 5.) On December 28, 1999, Superintendent Bounds and Deputy Superintendent McInturff sent a letter to “*park and recreation advocates*” asking for their support of the city’s LPA legislation during the 2000 legislative session;
- 6.) On January 4, 2000, a letter drafted using City of Seattle resources and signed by the members of the PRO Parks 2000 Committee was sent to state legislators. The letter was sent before the start of the 2000 legislative and was addressed “*Dear State Legislator.*” The letter urged support of the LPA legislation during the 2000 legislative session;

- 7.) On January 5, 2000, Superintendent Bounds sent a letter to Community Council members urging their support in promoting the LPA legislation during the 2000 legislative session;
- 8.) On January 14, 2000, Superintendent Bounds and Seattle Park Board Chair Margaret Ceis sent a letter to Community Council members, Neighborhood Stewards, and Park Advocates requesting their support of the LPA legislation during the 2000 legislative session;
- 9.) On January 14, 2000, Deputy Superintendent McInturff sent a "*Legislative Alert*" by e-mail to City of Seattle employee Beth Purcell. The e-mail was addressed to Pro Parks Members. It asked that each recipient contact their legislator and let their legislator know that they support the LPA legislation;
- 10.) On January 21, 2000, Susan Crowley, City of Seattle lobbyist, contacted PRO Parks 2000 Committee member Dan Stecher by e-mail and asked him to make sure PRO Parks 2000 Committee members contacted their legislative delegation to ask for their support of the city's LPA legislation;
- 11.) On January 21, 2000, Barbara Pelfrey, an assistant to Deputy Superintendent McInturff, sent an e-mail to city employee Beth Purcell, asking her to call all the Pro Parks 2000 Committee members, Park Board people, and others of interest, to ask them to contact their legislators and ask for their support of the LPA legislation;
- 12.) On January 24, 2000, Superintendent Bounds sent a letter to "*Friends of Parks and Recreation*" asking for support of the legislative recommendation of the PRO Parks 2000 Committee;

- 13.) On January 25, 2000, city employee Beth Purcell sent an e-mail “Call to Action” to PRO Parks 2000 Committee members urging recipients to contact their legislators “As Soon As Possible” to let the legislators know of their support of the LPA legislation;
- 14.) On January 26, 2000, City of Seattle employee Alix Ogden sent an e-mail to several private citizens encouraging recipients to contact their legislator in support of the LPA legislation.
- 15.) On January 27, 2000, a lobbying trip by PRO Parks 2000 Committee members and other citizens occurred that was coordinated by City of Seattle employees.
- 16.) On January 29, 2000, Superintendent Bounds contacted PRO Parks 2000 Committee member Lucy Steers by e-mail and asked her to contact Senators Haugen and Gardner to encourage support for the LPA legislation;
- 17.) On January 29, 2000, Deputy Superintendent McInturff sent an e-mail to PRO Parks 2000 Committee members and asked for their help in lobbying Senators Haugen and Gardner to encourage support for the LPA legislation;
- 18.) On February 10, 2000, City of Seattle employee Jennifer Cargal sent an e-mail to Superintendent Bounds, City of Seattle lobbyist Susan Crowley, and Parks Department employee Paula Hoff, which included a letter drafted by City of Seattle employees for the signature of Joseph Olchefske, Superintendent of the Seattle School District, addressed to Senator Syd Snyder, supporting the LPA legislation.

Staff alleges, based on the facts specified in Section IV, and as outlined above, that the City of Seattle and the Seattle Department of Parks and Recreation, violated RCW 42.17.190 on multiple occasions by expending its resources to lobby the legislature during the 2000 legislative session in ways not authorized by RCW 42.17.190.

City of Seattle and Seattle Department of Parks and Recreation
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RESPECTFULLY SUBMITTED this 21st day of May, 2001.

Philip E. Stutzman
Director of Compliance